

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

WILLIAMS TRUCKING, INC. et al.,)	Case No. 1:08cv2058
)	
Plaintiff,)	
)	
-vs-)	<u>O R D E R</u>
)	
NESTLE USA,)	
)	Judge Christopher A. Boyko
Defendant.)	
)	

On December 16, 2009, Defendant Nestle USA's Motion in Limine to Preclude Plaintiff from Using Documents in Support of Its Damages Claim Which Were Not Produced (Doc.#42) was referred to Magistrate Judge Kenneth S. McHargh pursuant to Local Rule 72.2 (Dkt. #56). On December 22, 2009, the Magistrate Judge recommended that Defendant's Motion in Limine be denied as moot. (Dkt. #62).

On December 22, 2009, the Magistrate Judge held a telephone conference regarding Defendant's Motion in Limine. Both parties agreed that the Pending Motion in Limine to Preclude Plaintiff from Using Documents in Support of Its Damages Claim Which Were Not Produced (Doc.#42) is moot. Therefore, Magistrate Judge McHargh's Report and Recommendation is **ADOPTED** and Defendant's Motion in Limine is denied as moot.

IT IS SO ORDERED.

Dated:2/1/2010

S/Christopher A. Boyko

CHRISTOPHER A. BOYKO

UNITED STATES DISTRICT JUDGE